

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

David Deitzel,

Plaintiff

V.

**CIVIL ACTION
No. 04-10497-NMG**

**Boston & Maine Corporation and
Guilford Transportation Industries, Inc.,
Defendant**

NOTICE OF DEFAULT

Upon application of the Plaintiff, David Deitzel, for an order of default for failure of the defendant Boston & Maine Corporation to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the Defendant has been defaulted this 29th day of September 2004.

TONY ANASTAS, CLERK

/S/ Craig J. Nicewicz

By:

Deputy Clerk

Notice mailed to: all counsel

**Boston & Maine Corporation
Iron Horse Park
Billerica, MA 01862**